

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 54567PCT8A	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US99/25781	International filing date (day/month/year) 02/11/1999	Priority date (day/month/year) 19/11/1998
International Patent Classification (IPC) or national classification and IPC C09J7/04		
Applicant 3M INNOVATIVE PROPERTIES COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.


2. This REPORT consists of a total of 4 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 22/05/2000	Date of completion of this report 06.03.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Sperry, P Telephone No. +49 89 2399 8298



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EXAMINATION REPORT**

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I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):*

Description, pages:

1-34 as originally filed

Claims, No.:

1-16 as originally filed

Drawings, sheets:

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

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☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	12-16
	No:	Claims	
Inventive step (IS)	Yes:	Claims	12-16
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-16
	No:	Claims	

2. Citations and explanations
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

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Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1: US-A-5 616 629 (NGUYEN THANH V ET AL) 1 April 1997 (1997-04-01) cited in the application

D2: US-A-4 201 808 (BABIAN GUNTHER W ET AL) 6 May 1980 (1980-05-06)

In the examples and comparative examples it has been shown that 3 parameters are important in order to obtain the required properties of the release coating composition:

- the ratio dialkylsiloxane units to (meth)acrylate units from the polyalkylsiloxane
- the viscosity of the (meth)acrylate cross-linking compound
- the ratio of the polyalkylsiloxane to the cross-linking compound

therefore the release coating composition as claimed can be considered as a purposive selection from D1 and D2 which relate to radiation-curable release composition.

Re Item VIII

Certain observations on the international application

It is clear from the examples and comparative examples that the following features of the silicone release layer are essential to the definition of the invention:

- (1) the ratio dialkylsiloxane units to (meth)acrylate units from the polyalkylsiloxane
- (2) the viscosity of the (meth)acrylate cross-linking compound
- (3) the ratio of the polyalkylsiloxane to the cross-linking compound

Since independent claims 1, 8 and 11 do not contain these features they do not meet the requirement following from Article 6 PCT taken in combination with Rule 6.3(b) PCT that any independent claim must contain all the technical features essential to the definition of the invention.